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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: FACEBOOK, INC. CONSUMER PRIVACY USER PROFILE LITIGATION,

This document relates to:

ALL ACTIONS

CASE NO. 3:18-MD-02843-VC

**SUPPLEMENTAL DECLARATION OF
DEBORAH STEIN IN SUPPORT OF
FACEBOOK, INC.'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
CERTAIN MATERIALS IN SUPPORT OF
FACEBOOK, INC., GIBSON, DUNN &
CRUTCHER LLP, AND ORIN SNYDER'S
SUPPLEMENTAL BRIEF IN
OPPOSITION TO PLAINTIFFS' MOTION
FOR SANCTIONS**

1 I, Deborah Stein, hereby declare as follows:

2 1. I am a partner at the law firm of Gibson, Dunn & Crutcher LLP, counsel of record for
3 Facebook, Inc. (“Facebook”) in the above-captioned matter. I am a member in good standing of the
4 State Bars of California and New York. I submit this declaration in support of Facebook’s Adminis-
5 trative Motion to File Under Seal Certain Materials in Support of Facebook, Inc., Gibson, Dunn &
6 Crutcher LLP, and Orin Snyder’s Supplemental Brief in Opposition to Plaintiffs’ Motion for Sanctions.
7 I make this declaration on my own knowledge, and I would testify to the matters stated herein under
8 oath if called upon to do so.
9

10 2. Attached as **Exhibit 1** is a true and correct **unredacted** copy of Facebook, Inc., Gibson,
11 Dunn & Crutcher LLP, and Orin Snyder’s Supplemental Brief in Opposition to Plaintiffs’ Motion for
12 Sanctions (the “Supplemental Opposition”).
13

14 3. Attached as **Exhibit 2** is a true and correct **redacted** copy of the Supplemental Opposi-
15 tion.
16

17 4. Attached as **Exhibit 3** is a true and correct **unredacted** copy of the Declaration of
18 Heather L. Richardson in Support of Facebook, Inc., Gibson, Dunn & Crutcher LLP, and Orin Snyder’s
19 Surreply in Opposition to Plaintiffs’ Motion for Sanctions (“Richardson Declaration”).
20

21 5. Attached as **Exhibit 4** is a true and correct **redacted** copy of the Richardson Declara-
22 tion.
23

24 6. Attached as **Exhibit 53-A, 56-A, 61-A, 63-A, 64-A, 66-A, 68-A-70-A, 73-A, 82-A** is a
25 true and correct **unredacted** copy of Facebook’s Exhibits 53, 56, 61, 63, 64, 66, 68–70, 73, and 82.
26

27 7. Attached as **Exhibit 53-B, 56-B, 61-B, 63-B, 64-B, 66-B, 68-B 70-B, 73-B, 82-B** is a
28 true and correct **redacted** copy of Facebook’s Exhibits 53, 56, 61, 63, 64, 66, 68–70, 73, and 82.

8. Facebook proposes redacting confidential information regarding its data systems and Facebook's proprietary data storage and processing practices.¹ How Facebook stores, manages, tracks, preserves, deletes, and processes data for billions of users across its data systems are key components of its business that set it apart and ahead of its competitors. I understand that, if publicly disclosed, Facebook's competitors could take advantage of this information to improve their own methods for managing high volumes of user data or for tracking and storing user data across data systems, to Facebook's competitive disadvantage. Hackers and other bad actors also could use this information to better understand Facebook's data systems and target specific repositories of data, potentially harming both Facebook and its users.

9. Facebook proposes redacting confidential information regarding its tool for responding to law-enforcement requests for user records, including the name of the tool, the types of data it contains, the delta between the data within the tool and DYI, and the format in which data from the tool is produced.² I understand that public disclosure of details about this tool would reveal confidential information regarding Facebook's internal operations that could be used by bad actors to attempt to circumvent and evade Facebook's enforcement strategies and current and future lawful governmental criminal investigations. I further understand that public disclosure of Facebook's internal processes related to the tool could provide confidential information to competitors about how Facebook tracks and stores data across its systems, to Facebook's competitive disadvantage.

¹ Supplemental Opposition at i, 2, 20–24; Richardson Declaration at ¶¶ 6–11 (Dkt. 998-11); Ex. 53 at 1–2, 4–5, 7–11 (Dkt. 998-9); Ex. 56 at 95:2–8, 10–11, 19, 21–22, 24; 96:5, 7, 19, 22, 24; 97:1, 22–23; 104:4–8, 12; 185:1–7, 9–10, 12–14, 16, 18, 22–24; 198:6, 10, 15 (Dkt. 988-13); Ex. 66 at 1–5 (998-22); Ex. 68 at 1 (Dkt. 998-24); Ex. 69 at 19:15, 20:2 (Dkt. 998-25); Ex. 70 at 2–7 (Dkt. 998-26); Ex. 73 at 1–4 (Dkt. 998-29).

² Ex. 73 at 2–3 (Dkt. 998-29).

10. Facebook proposes redacting confidential and competitively sensitive information regarding its business programs, strategies, decisions, and partners, including confidential technical details of how Facebook develops and uses data to target advertisements to the most relevant users.³ This information also includes confidential strategic discussions regarding Facebook's existing and potential future business models and strategies, as well as confidential information regarding the identities of and negotiations with entities with which I understand Facebook has a business relationship. I am informed and believe that, if publicly disclosed, this information could harm Facebook's relationships with these entities and undercut Facebook's ability to negotiate with competitors of these entities. I am further informed and believe that public disclosure of confidential information regarding Facebook's business models could allow Facebook's competitors to use this information developed at Facebook's expense to improve or develop their own competing techniques, to Facebook's competitive disadvantage. Additionally, I am informed and believe that public disclosure of confidential information regarding Facebook's business strategies could allow Facebook's competitors to copy these strategies, developed at Facebook's expense, to more effectively compete with Facebook. Finally, Facebook's ability to serve advertisements to its users effectively is an essential aspect of its business and I am informed and believe that, if publicly disclosed, this information could allow Facebook's competitors to improve their serve of advertisements to Facebook's competitive disadvantage.

11. Facebook proposes to seal confidential information regarding Facebook's privacy and platform policy enforcement practices, including Facebook's decision-making process for evaluating apps and developers that may be violating its policies.⁴ This includes confidential information regarding ADI documents and references thereto. I understand that public disclosure of details regarding

³ Ex. 56 at 95:2–8, 10–11, 19, 21–22, 24; 96:5, 7, 19, 22, 24; 97:1, 22–23; 104:4–8, 12; 185:1–7, 9–10, 12–14, 16, 18, 22–24; 198:6, 10, 15 (Dkt. 988-13); Ex. 63 at 3–4 (Dkt. 998-19); Ex. 64 at 2–4 (Dkt. 998-20); Ex. 82 at 269:2–6 (Dkt. 998-38).

⁴ Ex. 53 at 1–2, 4–5, 7–11; Ex. 61 at 2 (Dkt. 998-17).

Facebook's policy-enforcement efforts would reveal confidential information regarding Facebook's internal operations that could be used by bad actors to attempt to circumvent and evade Facebook's enforcement strategies, potentially harming Facebook and its users. Facebook further proposes sealing such information for the same reasons articulated in Alexander H. Southwell's declaration evidencing the basis for sealing ADI-related documents. Dkt. 804-2; *see also* Dkt. 804 (explaining rationale for sealing ADI investigative reports and ADI-related information).

12. Facebook proposes to seal confidential information regarding ADI documents and references thereto.⁵ The Court previously found good cause to seal in full similar ADI materials. *See, e.g.*, Dkt. 804-3 at ECF p. 544–79 (fully sealed investigative report); Dkt. 838 (granting motion to seal). Facebook requests that the Court seal similar ADI documents (and references thereto) for the same reasons, including those reasons articulated in Alexander H. Southwell's declaration evidencing the basis for sealing ADI-related documents. Dkt. 804-2; *see also* Dkt. 804 (explaining rationale for sealing ADI investigative reports and ADI-related information).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 26, 2022 in Los Angeles, California.

/s/ Deborah Stein

Deborah Stein

⁵ Ex. 53 at 1–2, 4–5, 7–11 (Dkt. 998-9);